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Well, I'm not going to hire a woman

by Ginny Manning

A little over a year ago, USC law student Vicki Eslinger walked into the State Senate and asked Senate clerk Levick Thomas for an application to become a page.

"He (Thomas) told me I would have to understand that they (the Senate) didn't hire women because it was a place of business," Eslinger recalls. "I said that I had Senate sponsors, and he said 'Well, I'm not going to hire women.' I told him to give me an application anyway, and I filled it out. I went back to see him after women were appointed pages in the United States Senate. He (Thomas) still wouldn't consider it so I filed a lawsuit against them."

After two days of somewhat amazing testimony before U. S. District Judge Robert Chapman of Spartanburg last month, Eslinger's suit was denied. It was entirely Chapman's decision, since no jury was involved.

Ms. Eslinger, who helped organize an abortion and health referral center at USC and is active in the National Organization of Women, says the job as page was more a matter of money and political pragmatism than one of women's rights -- at least at first.

"I needed some money because law school and law books are so expensive. I had four senators to sponsor me, and you only need one." Eslinger testified during the trial that she felt the Senate had no right to deny her exposure to the law-making process, a denial she claims is a violation of the equal rights section of the 14th amendment, possibly damaging to her career.

The job of page, both in the Senate and the House, is considered both a financial and, potentially, a political plum for law students at USC. The 83 pages in the House (and 80 in the Senate) work between 12 and 14 hours a week, earning about $90 every two weeks, or over $3 an hour.

Compared to the current wages most students earn in and around the Columbia campus ($1.40 per hour for what approaches sweatshop labor in the cafeteria), the job as page provides a luxurious wage level. The actual work load of the pages is not physically or mentally gruelling consisting of research, providing the legislators with lists of bills of the day, and running personal errands.

One state legislator, testifying at the hearing, said his job as page was the best he'd ever had because he had so little to do. An average session in one of the houses usually finds pages wandering about, searching for almost anything to do. Failing this, many just stand to one side and watch. Even Thomas admitted in the hearing that time cards are not kept, and one Senate page this week said that many pages don't bother to show up for even 14 hours work.

After Ms. Eslinger filed her suit last year, the Senate adopted a compromise-type resolution which allows female "legislative assistants" but restricts them from performing "personal" errands for senators and also requires a signed statement from a parent or guardian before permission will be granted. Subsequently, while the Eslinger case was pending, two women "assistants" were hired, performing all the tasks of pages, save the personal errands.

Eslinger rejected the "legislative assistant" compromise.

"They told these girls they were pages, but they aren't allowed to work on an equal basis with men. That's what we're arguing about. Through all of South Carolina and the United States there is protective legislation that is 'protecting' women out of jobs. For example, if a twenty-four year old woman wants to work in this position, she has to have her parent's signature, or her husband's signature if she's married, which is ridiculous. That's like saying her husband is her legal guardian. How absurd."

Eslinger's problems only began at the Senate. When the case reached the courts, Ms. Eslinger's morals came under the scrutiny of South Carolina's finest judical minds.

Judge Robert Hemphill, the first judge in the case, decreed that it appeared to him the only reason Eslinger wanted the job was to get in the senators' hotel rooms, a statement for which he later apologized.

But the spirit of Hemphill's remarks still surrounded the case when it was switched to Chapman's court.

During the course of the testimony, Chapman observed at one point, somewhat sarcastically: "Hasn't it boiled down to whether or not there is a constitutional right to run errands?"

"The judge doesn't understand that these laws are demeaning," Eslinger says. "They don't realize that it's demeaning to say a woman isn't capable of deciding for herself whether or not she can do a particular kind of work. I certainly would never have a husband of mine sign something to say I can go to work, when I'm a human being, supposedly with all the rights of an adult."

State Senator E. N. "Nick" Zeigler of Florence, who is seeking the Democratic nomination to the U. S. Senate and seems likely to face Strom Thurmond in the November general election, represented the Senate in the case. Zeigler, who is regarded by some as a "liberal" in the state legislature, said that "restrictions governing the use of female pages is not discriminatory but only reasonable exercise of judgement based on the intimate personal relationships involved." Zeigler also spoke of the Senate's "inherent right" to pick and choose its pages in any manner it so wishes.

As attorney for the Senate, Zeigler produced witnesses who intimated that women lacked the "moral fiber to perform the duties of Senate page, a job which sometimes requires pages to visit the motel rooms of legislators."

Two male pages testified that they would be unwilling to see their sisters become pages. Eslinger says, "For years men have kept women out of jobs by saying that it is something they wouldn't want their mothers or sisters to do. They have always thought for us. One person on the stand said that he wouldn't want his sister to be a page, but he recognized that she does have a mind of her own and that she may not agree with him... it would be her decision."

Thomas, the Senate clerk who originally rejected Eslinger, testified for Zeigler, saying, "I followed the custom of the Senate." Thomas could name no other state agency that required parental permission for female employes, but said that he felt the requirement was justified "because they're females."

Chapman's ruling was predictable, given the course of the two-day hearing. Basing his decision on the observation that "there is a real difference between male and female," Chapman concluded that it was this "difference" (undefined) that allowed the law to treat male and female differently. Chapman added, "The Constitutional rights of female citizens are not unduly restricted or violated by the resolution. Miss Eslinger has not shown that the prehibition against females running personal errands for Senators is wanting in rational justification or arbitrary." Chapman, however, did agree that prior to the resolution, the Senate's refusal to hire women for page's work was unconstitutional.

The ruling did not surprise Eslinger. "Sol Blatt (House speaker) spoke at law school last year and said that he would never hire a woman page, and if the federal courts put her there, he would not allow her to work. She would only be allowed to sit there and draw compensation. Senator Zeigler says that he likes to see women up on a pedestal. He told me once, some time ago, that he likes tradition, he likes to open doors for ladies. Well, I like to have my door opened for me, and I'd stand around on a pedestal, as long as it's not costing me two thousand dollars a year in salary. After all, women pay the same tuition as men. If they let us go to school free, then we're not going to hassle them for jobs with equal pay. Unless they're willing to make concessions like that, or let us be equal people, they're going to run into a lot of lawsuits."

The case will likely be appealed to a higher court. In fact, a federal ruling reversing the decision seems quite likely since precedents in other state's and the U. S. Senate are available. Just as in racial desegregation and discrimination, South Carolina's leaders invite the federal intervention they so abhor.

Who pays the hospital costs?

"... doctors are a very powerful force and are treated with respect whether they deserve it or not."

The ever-increasing costs of hospital care in Richland County were rather dramatically emphasized recently when Richland Memorial Hospital administrators revealed to County Council that the new $25 million facility would have a projected deficit of $1.3 million by July, 1972 unless immediate financial aid was obtained.

The administrators attributed the deficit to higher salaries due to recent raises, the forced hiring of 300 additional workers to adequately staff the new facility, and a decrease in the number of private patients who normally absorb the hospital's losses incurred through the treatment of public or "staff" patients.

The hospital's financial directors presented this information to County Council on April 19, requesting that Richland County choose one of several alternatives presented to relieve the hospital of some of its financial burden. These alternatives included the county sponsoring all Richland County residents who cannot pay their hospital bills, or agree to allow the hospital to refuse patient care to county residents who cannot pay and do not have a sponsor.

Other hospital proposals included the county assuming responsibility for maternal and child care; or assuming responsibility for the Emergency Room (which they indicated sustained a yearly loss of about $300,000); or assuming the responsibility for graduate medical, paramedical, and nursing education; or assuming the responsibility for capital costs; or assuming the responsibility for the deserted facilities of the old Columbia Hospital, including the outpatient clinics still located there; or finally, that the county revise the governance of the county's health and hospital services.

On April 24, County Council agreed to advance Richland Memorial $500,000 "to ease its current financial straits," but with several strings attached. The council pointed out that the hospital had been advanced a quarter of a million dollars about 18 months ago, "and that money has not been repaid," according to councilman W.D. Grimsley, who cast the only dissenting vote on the new loan issue.

In granting the loan, the council stipulated that the hospital be required to furnish council with monthly financial statements, that the county attorney attend the monthly meetings of the hospital board, and that the hospital furnish council with a planned projection for getting itself into a "positive cash position."

Several councilmen indicated their strong disapproval over the hospital's current financial crisis including Dr. S. Hunter Rentz, who stated that the hospital has "financially lost the confidence of the people." But the general attitude of the council appeared to be that they had little choice in the matter unless it wished to abandon the expensive new facility.

In a series of recent interviews with a former business employee of Richland Memorial Hospital, now a contributing editor of this magazine, "Osceola" attempted to gain an insider's point of view regarding the hospital's financial situation and performance. Although the interviewee was not privy to much of the upper-echelon information available to high administration officials, his daily personal contact with hospital's business operations and his willingness to comment candidly on his experiences offer an unusual insight into the workings of a large public hospital facility and should be of considerable interest to Richland County residents, particularly those who are ill-prepared to meet the rising costs of hospitalization.

Os: What sort of job did you do for the hospital?

A: Well, for most of the year and a half I worked there, my official title was "cashier," but my job often included working on in-patient accounts, that is to say, patients who are still in the hospital.

Os: What do you mean by working on accounts.

A: We went over each day's admissions, trying to determine the types of coverage each patient had--making sure we had the appropriate insurance information, authorizations from sponsors, and so on. In the situations where patients did not have coverage and could not pay further hospitalization, we generally attempted to secure sponsorship from some source.

Os: How did you go about securing financial aid?

A: In a variety of ways, actually. Sometimes a patient might be eligible for a sponsoring program, such as vocational rehabilitation, Medicaid through the welfare department or a State Board of Health program. Most patients who reside in the county and are classified as "indigent", that is, unable to pay for their hospital care, are referred to the Richland County Medically Indigent Service for evaluation and possible assistance.

Os: I'd like to get back to the Indigent Service later, but first, let me ask you this. From your experiences, what would you say are the reasons for the high cost of hospital care, particularly at Richland Memorial, where the prices are the highest in the county.

A: I think an objective answer is hard to find. General inflation, for one thing, but hospital costs over the past ten years have risen at a much greater rate than other costs, so that's not the complete answer by any means.

In the papers recently, the Richland hospital administrators made the complaint that too few people pay their bills. That's certainly true, particularly at a county hospital which cannot pick and choose its clientele and is therefore forced to take patients who are turned down at private hospitals.

But the real question is why can't they pay their bills, and the answer is often quite simply that the costs are just too high for the average wagearner to meet.

Os: Who are the people who don't pay their bills?

A: Well, once you've eliminated the welfare patients with Medicaid, the elderly with Medicare, the sponsored patients, those with adequate insurance and those so desperately poor as to qualify for county assistance, you end up with the lower middle-class worker who either does not have health insurance or whose health insurance is inadequate to the need.

Inadequate insurance is something which hasn't really been discussed much in relation to the hospital's current financial crisis, but there are a number of companies, plants, and businesses in Richland County whose group insurance provided to employees is grossly inadequate in comparison to current costs. I know of at least one mill in town, for instance, whose insurance will pay only about half the cost of hospitilization. Such businesses generally salve their conscience by allowing the hospital to accept wage assignments and generously deduct a set amount per week from the employees pay check. But what kind of solution is that for a blue-collar worker earning a low wage already?

I think the classic example of the non-paying patient is one who floats totally free of society's traditional mooring places...by that, I mean that he has no job or is marginally employed; probably has no family, and almost never has anything of value which the hospital can place a lein against; or perhaps is just passing through and therefore can manage to escape the clutches of the collection department.

Add to this the fact that most sponsored programs get a price break which must be absorbed by private patients, much like a hidden tax. And of course, there is always the element of inefficiency on the part of the hospital business office or doctors who allow patients to remain in the hospital longer than necessary. It's very difficult for the hospital to exert any control over doctors who are not salaried by them...doctors are a very powerful force and are more often than not treated with respect whether they deserve it or not.

These things I have mentioned so far are just a few of the many problems which have brought about the existing financial situation. As I stated to you prior to this interview, many problems areas exist which I know nothing about.

I should mention one other area, however, which constantly affects the hospital financially. Many of the counties surrounding Richland either do not have hospitals or do not provide the specialized services patients sometimes need. These patients are generally transferred to Richland Memorial, often without even a promise of payment from a neighboring county. I remember one case from Calhoun County where a newborn baby ran up a bill of about $11,000. When the hospital sent a letter requesting aid from the county, a commissioner wrote back stating they should get a "special rate" since babies "don't take up much room." As far as I know, no payment was ever received.

Illness has very little respect for county lines, and the community which can support a highly specialized medical complex is going to have to either bear the burden from more rural counties or simply turn critically-ill patients away.

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